



28 May 1863. 26 Vict.



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[AS AMENDED IN COMMITTEE]

TO

Alter and amend the Procedure and Practice of
the Court of Admiralty in Ireland.

WHEREAS it is expedient to regulate the Jurisdiction and amend the Practice of the High Court of Admiralty of Ireland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as the "Admiralty Court of Ireland Act, 1863."

Short Title of Act.

2. In the Interpretation, and for the Purposes of this Act (if not inconsistent with the Context or Subject) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say,

Interpretation of Terms.

"Ship" shall include any Description of Vessel used in Navigation not propelled by Oars:

15 "Cause" shall include any Cause, Suit, Action, or other Proceeding in the High Court of Admiralty of Ireland:

"The Court of Admiralty" shall mean the High Court of Admiralty of Ireland.

[Bill 141.]

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3. This

Commence-
ment of Act. 3. This Act shall come into operation, except where otherwise specially provided, on the Day of One thousand eight hundred and sixty.

Parts of
Acts hereby
repealed. 4. There shall be hereby repealed the several Parts of Acts set forth in the Schedule hereto to the Extent to which such Parts of Acts are therein expressed to be repealed, and all such Provisions of any other Acts, or of any Charters, and all such Laws and Customs or Rules as are inconsistent with the Provisions of this Act.

Jurisdiction
in Cases of
Salvage. 5. The Court of Admiralty shall have full Jurisdiction to hear and decide all Claims and Demands whatsoever in the Nature of Salvage for Services rendered to or Damage received by any Ship, or in the Nature of Towage or Pilotage, and to enforce the Payment thereof, whether such Ship may have been within the Body of a County or on the High Seas at the Time when the Services were rendered or Damage received in respect of which such Claims are made.

Jurisdiction
as to Claims
for Salvage
of Life. 6. The Court of Admiralty shall have Jurisdiction to take cognizance of and decide all Claims of Salvage in respect of the Preservation of Life under the Provisions of "The Merchant Shipping Act, 1854," and "The Merchant Shipping Amendment Act, 1862," and to enforce the Payment thereof.

As to Claims
for building,
equipping,
or repairing
of Ships. 7. The Court of Admiralty shall have Jurisdiction over any Claim for the building, equipping, or repairing of any Ship, if at the Time of the Institution of the Cause the Ship or the Proceeds thereof are under Arrest of the Court.

Clause A.
Jurisdiction
of the High
Court of
Admiralty. 8. The High Court of Admiralty shall have Jurisdiction over any Claim for Necessaries supplied to any Ship at any Port or elsewhere than in the Port to which the Ship belongs, unless it is shown to the Satisfaction of the Court that at the Time of the Institution of Proceedings before the Court in a Cause to establish such Claim, any Owner or Part Owner of a Ship is domiciled in Ireland: Provided always, that if in any such Cause the Plaintiff do not recover Twenty Pounds, he shall not be entitled to any Costs, Charges, or Expenses incurred by him therein, unless the Judge shall certify that the Cause was a fit one to be tried in the said Court.

As to Claim
for Damage
of Cargo
imported. 9. The Court of Admiralty shall have Jurisdiction over any Claim by the Owner or Consignee or Assignee of any Bill of Lading of any Goods carried from Foreign or Home Port or back from Sea into any Port in Ireland in any Ship for Damage done to the Goods, or any Part thereof, by the Negligence or Misconduct of, or for any Breach

of Duty or Breach of Contract, on the Part of the Owner, Master, or Crew of the Ship, unless it is shown to the Satisfaction of the Court that at the Time of the Institution of the Cause any Owner or Part Owner of the Ship is domiciled in Ireland: Provided always, that if
 5 in any such Cause the Plaintiff do not recover *Twenty Pounds*, he shall not be entitled to any Costs, Charges, or Expenses incurred by him therein unless the Judge shall certify that the Cause was a fit one to be tried in the said Court.

10 10. The High Court of Admiralty shall have Jurisdiction over any Claim for Damage done by any Ship whether within the Body of a County or not. As to Claims for Damage by any Ship.

11. The High Court of Admiralty shall have Jurisdiction to decide all Questions arising between the Co-Owners, or any of of them, touching the Ownership, Possession, Employment, and
 15 Earnings of any Ship registered at any Port in Ireland, or any Share thereof, and may settle all Accounts outstanding and unsettled between the Parties in relation thereto, and may direct the said Ship or any Share thereof to be sold, and may make such Order in the Premises as to it shall seem fit. High Court of Admiralty to decide Questions as to Ownership, &c. of Ships.

20 12. The High Court of Admiralty shall have Jurisdiction over any Claim by a Seaman of any Ship for Wages earned by him on board the Ship, whether the same be due under a special Contract or otherwise, and also over any Claim by the Master of any Ship for Wages earned by him on board the Ship, and for Disbursements made by
 25 him on account of the Ship: Provided always, that if in any such Case the Plaintiff do not recover *Twenty Pounds*, he shall not be entitled to any Costs, Charges, or Expenses incurred by him therein unless the Judge shall certify that the Cause was a fit one to be tried in the said Court. As to Claims for Wages and for Disbursements by Master of a Ship.

30 13. The High Court of Admiralty shall have Jurisdiction over any Claim in respect of any Mortgage duly registered according to the Provisions of "The Merchant Shipping Act, 1854," whether the Ship or the Proceeds thereof be under Arrest of the said Court or not. 3 & 4 Vict. c. 65, in regard to Mortgages, extended to Court of Admiralty.

14. The High Court of Admiralty shall have the same Powers
 35 over any British Ship, or any Share therein, as are conferred upon the High Court of Chancery in Ireland by the Sixty-second, Sixty-third, Sixty-fourth, and Sixty-fifth Sections of "The Merchant Shipping Act, 1854." Sections 62 to 65 of 17 & 18 Vict. c. 104, extended to Court of Admiralty.

15. Whenever any Ship or Vessel, or the Proceeds thereof, are
 40 under Arrest of the High Court of Admiralty, the said Court shall have
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tended to
Court of
Admiralty.

have the same Powers as are conferred upon the High Court of Chancery in Ireland by the Ninth Part of "The Merchant Shipping Act, 1834."

CLAUSE B.
Proceedings
by way of
Mortgage.

16. In all Cases in which a Party has a Cause or Right of Action in the High Court of Admiralty against any Ship, Freight, Goods, or 5 other Effects whatever, it shall not be necessary to the Institution of the Suit for such Person to sue out a Warrant for the Arrest thereof, but it shall be competent to him to proceed by way of Motion, citing the Owner or Owners of such Ship, Freight, Goods, or other Effects to appear and defend the Suit; and upon satisfactory Proof being 10 given that the said Motion has been personally served upon such Owner or Owners, the said Court may proceed to hear and determine the Suit, and may make such Order in the Premises as to it shall seem right.

CLAUSE C.
Jurisdiction
of the Court
in Cases of
Prize of War.

17. The said High Court of Admiralty shall have Jurisdiction to 15 hear and decide all Matters and Questions concerning Booty of War, or the Distribution thereof, which it shall please Her Majesty, Her Heirs and Successors, by the advice of Her and their Privy Council, to refer to the Judgment of the said Court; and in all Matters so referred the Court shall proceed as in Cases of Prize of War, and the 20 Judgment of the Court therein shall be binding upon all Parties concerned.

Court to be
a Court of
Record.

18. The High Court of Admiralty shall be a Court of Record for all Intents and Purposes.

Serjeants,
Barristers-
at-Law,
Attorneys-
at-Law, and
Solicitors to
be at Liberty
to practise
in the High
Court of
Admiralty.

19. All Serjeants, Barristers-at-Law, and all Attorneys-at-Law and 25 Solicitors shall, from and after the Commencement of this Act, be entitled to practise as Serjeants, Barristers, Attorneys, Solicitors respectively in all Matters and Causes whatsoever in the said Court of Admiralty, and the said Serjeants and Barristers-at-Law shall and may have and exercise the same Rights and Privileges of practising in the said 30 Court of Admiralty as Advocates now have and enjoy in the said Court, and the said Attorneys and Solicitors shall and may have and exercise the same Rights and Privileges of practising in the said Court of Admiralty as Proctors now have and enjoy in the said Court, and the Serjeants, Advocates, and Barristers-at-Law shall have 35 respectively the same Rank and Precedence in the said Court of Admiralty which they now have in the Superior Courts of Common Law, unless and until Her Majesty shall otherwise order: Provided always, that all Attorneys-at-Law and Solicitors practising in the Court of Admiralty shall be subject to the Authority of the Judge 40 of the said Court, in the like Manner as Attorneys of the Queen's Bench are subject to the Authority of that Court.

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20. The Rules of Evidence observed in the Superior Courts of Common Law shall be applicable to and observed in the Trial of all Matters and Facts in the Court of Admiralty.

Rules of Evidence in Common Law Courts to be observed.

21. In case of Illness or unavoidable Absence of the Judge, any Judge of any of the Superior Courts of Law who, on the Request of the Lord Chancellor, shall find it convenient to attend, may sit for the Judge of the Court and exercise all his Powers.

In Illness of Judge, Common Law Judge may sit for him.

22. All Decrees and Orders of the High Court of Admiralty whereby any Sum of Money or any Costs, Charges, or Expenses shall be payable to any Person shall have the same Effect as Judgments in the Superior Courts of Common Law; and the Persons to whom any such Monies or Costs, Charges, or Expenses shall be doessed Judgment Creditors, and all Powers of enforcing Judgments possessed by the Superior Courts of Common Law or any Judge thereof, with respect to Matters depending in the same Courts, as well against the Ships and Goods arrested as against the Person of the Judgment Debtor, shall be possessed by the said Court of Admiralty with respect to Matters therein depending, and all Remedies at Law possessed by Judgment Creditors shall be in like Manner possessed by Persons to whom any Monies, Costs, Charges, or Expenses are by such Orders or Decrees of the said Court of Admiralty directed to be paid.

Decrees and Orders of Court of Admiralty to have effect of Judgments at Common Law.

23. If any Claim shall be made to any Goods or Chattels taken in Execution under any Process of the High Court of Admiralty, or in respect of the Seizure thereof, or any Act or Matter connected therewith, or in respect of the Proceeds or Value of any such Goods or Chattels by any Landlord for Rent, or by any Person not being the Party against whom the Process has issued, the Registrar of the said Court may, upon Application of the Officer charged with the Execution of the Process, whether before or after any Action brought against such Officer, issue a Summons calling before the said Court both the Party issuing such Process and the Party making the Claim, and thereupon any Action which shall have been brought in any of Her Majesty's Superior Courts of Record or in any Local or Inferior Court in respect of any such Claim, Seizure, Act, or Matter as aforesaid shall be stayed, and the Court in which such Action shall have been brought, or any Judge thereof, on Proof of the Issue of such Summons, and that the Goods and Chattels were so taken in Execution, may order the Party bringing the Action to pay the Costs of all Proceedings had upon the Action after Issue of the Summons out of the said Admiralty Court, and the Judge of the said Admiralty Court shall adjudicate upon the Claim, and make such

As to Claims to Goods taken in Execution.

Order between the Parties in respect thereof, and of the Costs of the Proceedings, as to him shall seem fit, and such Order shall be enforced in like Manner as any Order made in Suit brought in the said Court. Where any such Claim shall be made as aforesaid the Claimant may deposit with the Officer charged with the Execution of the Process 5 either the Amount or Value of the Goods claimed, the Value to be fixed by Appraisement in case of Dispute, to be by the Officer paid into Court to abide the Decision of the Judge upon the Claim, or the Sum which the Officer shall be allowed to charge as Costs for keeping Possession of the Goods until such Decision can be obtained, and in 10 default of the Claimant so doing the Officer may sell the Goods as if no such Claim had been made, and shall pay into Court the Proceeds of the Sale, to abide the Decision of the Judge.

Power to
examine
viva voce in
open Court.

24. In any Cause depending in the High Court of Admiralty the Court, if it shall think fit, may summon before it and examine or 15 cause to be examined Witnesses by Word of Mouth, and either before or after Examination by Deposition, or before a Commissioner, as hereafter mentioned, or in place of such, and Notes of such Examination shall be taken down in Writing by the Judge or Registrar, or by such other Person or Persons and in such Manner as the Judge of the said 20 Court shall direct.

Evidence
may be
taken viva
voce before
a Commis-
sioner.

25. The Court may, if it shall think fit, in any such Suit issue One or more Special Commissions to some Person being an Advocate of the said High Court of Admiralty of not less than Seven Years Standing, or a Barrister-at-Law of not less than Seven Years Standing, 25 or a Proctor or an Attorney-at-Law or Solicitor of not less than Seven Years Standing, or to any British Consul or Vice Consul resident at or near the Place, if out of the United Kingdom, to take Evidence by Word of Mouth upon Oath, which every such Commissioner or British Consul or Vice Consul is hereby empowered to administer at 30 such Time or Times, Place or Places, and as to such Fact or Facts, and in such Manner, Order, and Course, and under such Limitations and Restrictions, and to transmit the same to the Registry of the said Court, in such Form and Manner as in and by the Commission shall be directed, and such Commissioner or British Consul or Vice 35 Consul shall be attended, and the Witness shall be examined, cross-examined, and re-examined, by the Parties, their Counsel, Proctors, or Agents, if such Parties, or either of them, shall think fit so to do, and such Commissioner or British Consul or Vice Consul shall, if need be, make a Special Report to the Court touching such Examination, 40 and the Conduct or Absence of any Witness or other Person thereon or relating thereto; and the said High Court of Admiralty is hereby authorized

authorized to institute such Proceedings and make such Order or Orders upon such Report as Justice may require and as may be instituted or made in any Case of Contempt of the said Court.

26. It shall be lawful in any Suit depending in the said Court of Admiralty for the Judge of the said Court, or for any such Commissioner or British Consul or Vice Consul appointed in pursuance of this Act, to require the Attendance of any Witness, and the Production of any Deeds, Evidences, Books, or Writings, by Writ to be issued by such Judge or Commissioner or British Consul or Vice Consul in such and the same Form, or as nearly as may be, as that in which a Writ of Subpoena ad testificandum or of Subpoena duces tecum is now issued by Her Majesty's Court of Queen's Bench at Dublin; and that every Person disobeying any such Writ so to be issued by the said Judge or Commissioner or British Consul or Vice Consul shall be considered as in Contempt of the said High Court of Admiralty, and may be punished for such Contempt in the said Court.

Attendance of Witnesses and Production of Books, &c. compulsory.

27. In any contested Suit depending in the said Court of Admiralty the said Court shall have Power, if it shall think fit, to direct a Trial by Jury of any Issue or Issues on any Question or Questions of Fact arising in any such Suit, and the Substance and Form of such Issue or Issues shall be specified by the Judge of the said Court at the Time of directing the same; and if the Parties differ in drawing such Issue or Issues, it shall be referred to the Judge of the said Court to settle the same; and such Trial shall be had before the Court itself, or some Judge of Her Majesty's Superior Courts of Common Law at the Sittings at Nisi Prius, or before some Judge of Assize at Nisi Prius, as to the said Court shall seem fit: Provided always, that, if the Parties so desire it, the said Jury may consist of *Three or Five* only, instead of Twelve Men.

Power to direct Issues.

28. The Costs of such Issues or of such Commission as aforesaid, as the Judge of the said Court of Admiralty, shall under this Act direct, shall be paid by such Party or Parties, Person or Persons, and be taxed by the Registrar of the said Court of Admiralty in such Manner as the said Judge shall direct, and that Payment of such Costs shall be enforced in the same Manner as Costs between Party and Party may be enforced, or other Proceedings in the said Court.

Costs of Issues and of Commissions in Discretion of Court.

29. The said Court of Admiralty, upon Application to be made within *One Calendar Month* after the Trial of any such Issue by any Party concerned, may grant and direct One or more new Trials of any such Issue, and may order such new Trial to take place in the

Power to direct new Trials.

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Manner

Manner herein-before directed with regard to the First Trial of such Issue, and may by Order of the same Court direct such Costs to be paid as to the said Court shall seem fit upon any Application for a new Trial, or upon any new Trial or Second or other new Trial, and may direct by whom and to whom and at what Times and in what Manner such Costs shall be paid.

Powers of
the Court in
respect of
Issues.

30. When the Court shall order a Question of Fact to be tried before itself by a Jury, the Court may make all such Rules and Orders upon the Sheriff or any other Person for procuring the Attendance of a Special or Common Jury for the Trial of such 10 Question as may now be made by any of the Superior Courts of Common Law at Dublin, and may also make any other Orders which to such Court may seem requisite; and every such Jury shall consist of Persons possessing the like Qualifications, and shall be struck, summoned, balloted for, and called in like Manner as if such Jury 15 were a Jury for the Trial of a Cause in any of the Superior Courts, and every Jurymen so summoned shall be entitled to the same Rights and subject to the same Duties and Liabilities as if he had been duly summoned for the Trial of any such Cause in any of the said Superior Courts of Common Law; and every Party to any 20 such Proceeding shall be entitled to the same Rights, as to Challenge and otherwise, as if he was a Party to any such Cause; and generally for all Purposes of Trials of Question of Fact by a Jury before the Court itself, or in the Direction of Issues, the Court of Admiralty shall have the same Jurisdiction, Powers, and Authority as belongs 25 to any of the Superior Courts of Common Law or any Judge thereof sitting at Nisi Prius, or to the High Court of Chancery or any Judge thereof for the like Purposes.

Record of
the Issue to
be with the
Registrar.

31. The Record of the said Issue and of the Verdict therein shall be transmitted by the proper Officer to the Registrar of the 30 said Court of Admiralty in all Cases where the Issue has been directed to a Judge at Nisi Prius or to a Judge at the Assizes, and in all Cases where the Issue has been tried by the Court itself the said Record shall be retained by the said Registrar, and in all Cases the Verdict of the Jury upon any such Issue (unless the same shall 35 be set aside) shall be conclusive upon the said Court, and upon all such Persons, and in all further Proceedings in the Cause in which such Fact is found the said Court shall assume such Fact to be as found by the Jury.

Power of
Superior
Courts ex-
tended to
Court of
Admiralty.

32. The Judge of the Court of Admiralty shall have all such 40 Powers as are possessed by any of the Superior Courts of Common Law in Ireland, or any Judge thereof, to compel either Party in any Cause

Cause or Matter to answer Interrogatories, and to enforce the Production, Inspection, and Delivery of Copies of any Document in his Possession or Power, and to commit for Contempt.

33. Any Party in a Cause in the Court of Admiralty shall be at liberty to apply to the said Court for an Order for the Inspection by the Jurors or others appointed for the Trial of the said Cause, or by the Party himself or his Witnesses, of any Ship, or any other Personal or Real Property, the Inspection of which may be material to the Issue of the Cause, and the Court may make such Order in respect of the Costs arising thereout as to it shall seem fit.

Party in Court of Admiralty may apply for an Order for Inspection by Jurors.

34. Any Party in a Cause in the Court of Admiralty may call on any other Party in the Cause by Notice in Writing to admit any Documents, saving all just Exceptions; and in case of Refusal or Neglect so to admit, the Costs of proving the Documents shall be paid by the Party so neglecting or refusing, whatever the Result of the Cause may be, unless at the Trial the Judge shall certify that the Refusal to admit was reasonable.

Admission of Documents.

35. Whenever it shall be made to appear to the Judge of the Court of Admiralty that reasonable Efforts have been made to effect personal Service of any Citation, Monition, or other Process issued under Seal of the said Court, and either that the same has come to the Knowledge of the Party thereby cited or monished, or that he wilfully evades Service of the same, and has not appeared thereto, the said Judge may order that the Party on whose Behalf the Citation, Monition, or other Process was issued be at liberty to proceed as if personal Service had been effected, subject to such Conditions as to the Judge may seem fit, and all Proceedings thereon shall be as effectual as if personal Service of such Citation, Monition, or other Process had been effected.

Power of Court of Admiralty when personal Service of Citation has not been effected to order Parties to proceed.

36. The Service in any Part of the United Kingdom of any Writ of Subpœna ad testificandum or Subpœna duces tecum, issued under Seal of the High Court of Admiralty, shall be as effectual as if the same had been served in Ireland.

As to Service being out of Ireland.

37. Any new Writ or other Process necessary or expedient for giving effect to any of the Provisions of this Act may be issued from the High Court of Admiralty in such Form as the Judge of the said Court shall from Time to Time direct.

Power to issue new Writs or other Process.

38. All the Powers possessed by any of the Superior Courts of Common Law, or any Judge thereof, under the "Common Law [141.] B Procedure

Judge and Registrar to have same

Power as to
Arbitration
as to Judges
and Masters
of Common
Law.

Procedure Act, 1856," and otherwise, with regard to References to Arbitration Proceedings thereon, and the enforcing of Awards of Arbitrators, shall be possessed by the Judge of the High Court of Admiralty in all Cases and Matters depending in the said Court, and the Registrar of the said Court of Admiralty shall possess as to such 5 Matters the same Powers as are possessed by the Masters of the said Superior Courts of Common Law in relation thereto.

Section 15
of 17 & 18
Vict. c. 104,
extended to
Registrar of
Court of Ad-
miralty.

39. The Registrar of the High Court of Admiralty shall have the same Powers under the Fifteenth Section of the " Merchant Shipping Act, 1854," as are by the said Section conferred on the Masters 10 of Her Majesty's Court of Queen's Bench in England and Ireland.

Powers of
Registrar
and of
Deputy or
Assistant
Registrar.

40. The Registrar of the High Court of Admiralty may exercise with reference to Causes and Matters in the said Court the same Powers as any Surrogate of the Judge of the said Court sitting in Chambers might or could have heretofore lawfully exercised, and 15 all Powers and Authorities by this or any other Act conferred upon or vested in the Registrar of the said High Court of Admiralty may be exercised by any Deputy or Assistant Registrar of the said Court.

False Oath
or Affirma-
tion deemed
Perjury.

41. The Registrar of the said Court of Admiralty shall have 20 Power to administer Oaths in relation to any Cause or Matter depending in the said Court, and any Person who shall wilfully depose or affirm falsely in any Proceeding before the Registrar or before any Deputy or Assistant Registrar of the said Court, or before any Person authorized to administer Oaths in the said Court, shall be 25 deemed to be guilty of Perjury, and shall be liable to all the Pains and Penalties attaching to wilful and corrupt Perjury.

As to the
Hearing of
Causes
and cross
Causes.

42. The High Court of Admiralty may, on the Application of the Defendant in any Cause of Damage, and on his instituting a cross Cause for the Damage sustained by him in respect of the same 30 Collision, direct that the principal Cause and the cross Cause be heard at the same Time and upon the same Evidence, and if in the principal Cause the Ship of the Defendant has been arrested or Security given by him to answer Judgment, and in the cross Cause the Ship of the Plaintiff in the principal Cause cannot be arrested 35 and Security has not been given to answer the Judgment therein, the Court may, if it think fit, suspend the Proceedings in the principal Cause until Security has been given to answer Judgment in the cross Cause.

Judge to
have Power
to make
Rules of
Court.

43. The Judge of the High Court of Admiralty shall from Time 40 to Time make such Rules, Orders, and Regulations as to the Practice and

and Mode of proceeding of the said Court, and as to the Conduct and Duty of the Officers and Practitioners therein, as to him shall seem fit, and from Time to Time to repeal or alter such Rules, Orders, or Regulations: Provided always, that no such Rules, Orders, or Regulations shall be of any Force or Effect until the same shall have been approved of by the Lord High Chancellor of Ireland for the Time being.

44. The Judge of the High Court of Admiralty may, whenever it shall appear to him necessary so to do, authorize any Person to administer Oaths, and to take Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations during the Time such Person shall be on the High Seas, or in any Place not within Her Majesty's Dominions, in or relating to Prize Proceedings in the said Court, and it shall not be necessary to affix any Stamp to the Fiat or Document by which any such Person shall be appointed.

CLAUSE D.
Power to appoint Persons under special Circumstances to administer Oaths, &c.

45. The Judge of the High Court of Admiralty may, and he is hereby empowered, from Time to Time, and as and when he may think fit, to appoint any Person practising as a Proctor, Solicitor, Attorney, or Notary Public in any Part of Ireland, to administer Oaths, and take Declarations, Affirmations, and Attestations, in or relating to any Matter, Sent, or Proceeding in the High Court of Admiralty; and such Persons shall be styled "Commissioners to administer Oaths in Admiralty," and shall be entitled to charge and take a Fee of *One Shilling and Sixpence* for every Oath administered by them, and for every Declaration, Affirmation, and Attestation taken by them, subject to any Order of the Judge of the said Court varying or annulling the same.

CLAUSE E.
Judge of Admiralty may appoint Solicitors and Notaries to administer Oaths, &c.

46. The Fiat or Document by which any such Commissioner shall be appointed shall bear a Stamp of One Pound, and it shall not be necessary that any such Appointment should be published in the *Dublin Gazette*.

CLAUSE F.
Commissioner's Appointment to bear a Stamp of One Pound.

47. It shall not be necessary to sue out any Commission to take the personal Answers of any Party in any Matter, Suit, or Proceeding in the said Court; and any such Answers may be filed without any further or other Formality than is required in the swearing and filing of an Affidavit.

CLAUSE G.
Personal Answers may be taken without a Commission.

48. It shall not be necessary to sue out any Commission for the Examination of any Witnesses in any Matter, Suit, or Proceeding in the said Court; and any Examiner appointed by any Order of the said Court shall have the like Power of administering Oaths as Commissioners

CLAUSE H.
Commissioner for Examination of Witnesses dispensing with, and

Examiners
empowered
to administer
Oaths.

missioners now have under Commissions issued by the Court for the Examination of Witnesses.

CLAUSE I.
Answers,
Affidavits,
&c., how to
be sworn
and taken
in Ireland.

49. All Answers, Examinations, Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations in or relating to any Matter, Suit, or Proceeding in the said High Court of Admiralty, 5 shall and may be sworn and taken in Ireland before any such Commissioner appointed as aforesaid, or before any Magistrate or Justice of the Peace, or before any Commissioner to administer Oaths in Chancery, where no such Commissioner has been appointed by the Court, or is to be found at the Time. 10

CLAUSE K.
Answers,
Affidavits,
&c., how to
be sworn
and taken
out of Ire-
land.

50. All Answers, Examinations, Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations in or relating to any Matter, Suit, or Proceeding in the said High Court of Admiralty shall and may be sworn and taken in England, Scotland, or the Isle of Man, or the Channel Islands, or any of them, or in any Colony, 15 Island, Plantation, or Place under the Dominion of Her Majesty in Foreign Parts, before any Judge, Court, Magistrate, Notary Public, or Person lawfully authorized to administer Oaths in such Country, Island, or Plantation, or Place respectively, or before any of Her Majesty's Consuls or Vice Consuls in any Foreign Parts out of Her 20 Majesty's Dominions: and the Judge and other Officers of the said High Court of Admiralty shall take judicial Notice of the Seal or Signature, as the Case may be, of any such Judge, Court, Magistrate, Notary Public, Person, Consul, or Vice Consul attached, appended, or subscribed to any such Answers, Examinations, Affidavits, Deposi- 25 tions on Oath, Declarations, Affirmations, and Attestations, or the Documents to be used in the said Court.

CLAUSE L.
Penalties
for false
swearing.

51. All Persons swearing, declaring, affirming, or attesting before any Person authorized by this Act to administer Oaths and take Declarations, Affirmations, and Attestations, shall be liable to all 30 such Penalties, Punishments, and Consequences for any wilful and corrupt false swearing, declaring, affirming, or attesting contained therein, as if the Matter sworn, declared, affirmed, or attested before any Court or Person now by Law authorized to administer Oaths and take Declarations, Affirmations, and Attestations. 35

CLAUSE M.
Penalty for
forging
Signature or
Seal of
Judge, &c.

52. If any Person shall forge the Signature or the official Seal of any such Commissioner, Judge, Court, Magistrate, Notary Public, or other Person lawfully authorized to administer Oaths and take Declarations, Affirmations, or Attestations under this Act, or shall tender in Evidence any Answers, Examination, Deposition on Oath, 40 Declaration, Affirmation, Attestation, or other judicial or official Document

Document with a false or counterfeit Signature or Seal of any such Commissioner, Judge, Court, Magistrate, Notary Public, or other Person authorized as aforesaid, attached or appended thereto, knowing the same Signature or Seal to be false or counterfeit, every such

5 Person shall be guilty of Felony, and shall be liable to the same Punishment as any Offender under an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intitled "An Act to facilitate the Admission in Evidence of certain official and other Documents."

- 10 53. Nothing herein contained shall abridge or lessen the Power of the Judge of the said High Court of Admiralty, as it now exists, to issue Commissions as heretofore, and to appoint fit Persons to administer Oaths, take Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations, and generally to execute any Com-
- 15 missions, nor shall affect in any Manner the Power of the Judge or Surrogates of the said Court to administer Oaths and take Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations as heretofore, in or relating to any Matter, Suit, or Proceeding in the said Court.

CLAUSE N.
Power of
Judge to
issue Com-
missions as
heretofore to
administer
Oaths, &c.

- 20 54. No Action shall lie against the Judge of the said Court of Admiralty for Error in Judgment, and the said Judge shall be entitled to and have all the Privileges and Protection in the Exercise of his Jurisdiction as Judge of the said Court which by Law appertain to the Judges of Her Majesty's Superior Courts of Common
- 25 Law in the Exercise of their several Jurisdictions.

Protection of
the Judge of
Court of Ad-
miralty.

55. The Keeper for the Time being of any Common Gaol or Prison shall be bound to receive or take into his Custody all Persons who shall be committed thereunto by the said Court of Admiralty, and every Keeper of any Gaol or Prison who shall refuse to receive
- 30 into his Custody any Person so committed, or wilfully or carelessly suffer such Person to escape and go at large without lawful Warrant, shall be liable to the like Penalties and Consequences as if such Person had been committed to his Custody by any other lawful Authority.

Gaolers to
receive
Prisoners
committed
by Court of
Admiralty.

- 35 56. It shall be lawful for the Judge of the said Court of Admiralty to order the Discharge of any Person who shall be in Custody for Contempt of the said Court, or for any other Cause other than Nonpayment of Money, on such Conditions as to the Judge shall seem just: Provided always, that the Order for such Discharge
- 40 shall not be deemed to have purged the original Contempt in case the Conditions on which such Order shall be made be not fulfilled.

Prisoners
in Contempt
may be dis-
charged.

Appeal to
Court of
Appeal in
Chancery,
and Bail
given in
Court of
Admiralty
good in
Court of
Appeal.

57. Any Person finding himself aggrieved by any final or interlocutory Decree or Order of the Court of Admiralty may appeal therefrom to the Court of Appeal in Chancery, and in any Cause in the High Court of Admiralty Bail may be taken to answer the Judgment, as well of the said Court as of the Court of Appeal, and the said High Court of Admiralty may withhold the Release of any Property under its Arrest until such Bail has been given; and in any Appeal from any Decree or Order of the High Court of Admiralty the Court of Appeal may make and enforce its Order against the Surety or Sureties who may have signed any such Bail Bond in the same Manner as if the Bail had been given in the Court of Appeal.

Jurisdiction
of Court.

58. The Jurisdiction conferred by this Act on the High Court of Admiralty may be exercised either by Proceedings in rem or by Proceedings in personam.

Judge's
Salary.

59. There shall be paid to the Judge of the High Court of Admiralty instead of his present Salary the yearly Salary of Pounds, and such Salary shall be payable quarterly, and shall be charged upon and payable out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland: Provided, that the Judge shall not, during his Continuance in Office as such Judge, practise as an Advocate or Barrister-at-Law, or be capable of being elected or sitting as a Member of the House of Commons.

Retiring
Pension of
Judge.

60. Her Majesty by Letters Patent under the Great Seal of the United Kingdom may grant an Annuity not exceeding the yearly Sum of Pounds, to any Person who shall have executed the Office of Judge of the said Court, and shall have resigned the same, to be payable quarterly out of the said Consolidated Fund, to commence at the Time of the Resignation, and to continue during the Life of the Grantee: Provided, that no such Annuity shall be granted unless either the Grantee shall have been Judge of the said Court during a Period of Fifteen Years or unless such Person shall be afflicted with some permanent Infirmity disabling him from the due Execution of his said Office, which shall be distinctly recited in the said Grant: Provided always, that if the Grantee of such Annuity shall hold any other Office of Profit under Her Majesty, he shall be entitled to receive so much only of the said Annuity as, together with the Salary and Profit of such other Office, shall not exceed the Sum of Pounds.

Registrar;
&c., to be
paid Salary.

61. And whereas the present Manner of remunerating the Registrar and Marshal of the Court of Admiralty ought not to be continued,

timed, and it is expedient to make other Provision for the same, and for defraying the other Expenses incidental to the said Court, be it also enacted as follows: There shall be paid to the Registrar of the High Court of Admiralty out of the Fee Fund herein-after mentioned the yearly Salary of Pounds, instead of all Fees, Does, Perquisites, Emoluments, and Profits herein-before recited by or on account of such Registrar.

62. The Marshal of the High Court of Admiralty shall receive out of the Fee Fund herein-after mentioned a yearly Salary of Pounds, besides such Travelling and other Expenses necessarily incurred in the Execution of his Duty, as the Judge of the Admiralty with the Approbation of the Commissioners of Her Majesty's Treasury shall allow, instead of all Fees, Does, Perquisites, Emoluments, and Profits heretofore received by or on account of such Marshal.

The Marshal to be paid Salary.

63. The Seal Keeper of the High Court of the Admiralty shall be, and he is hereby constituted and appointed, the Secretary of the Judge of the said Court; and for the due Discharge of the Duties of both the said Offices he shall receive, out of the Fee Fund herein-after mentioned, the yearly Sum of Pounds, instead of all Fees, Perquisites, and Emoluments of his said Office of Seal Keeper.

CLAUDE G. Appointment of Seal Keeper as Judge's Secretary.

64. The Judge of the High Court of Admiralty shall, subject to the Approbation of the Lord Chancellor, continue or appoint so many Officers, Clerks, and Servants as may be necessary for carrying on the Business of the said Court; and the said Judge may, with the like Approval, remove at pleasure all or any of the Clerks, Officers, and Servants so appointed; and the Commissioners of Her Majesty's Treasury shall fix the Salaries of all such Officers, Clerks, and Servants; and the Salaries of the said Officers, Clerks, and Servants, and all other Expenses of carrying on the Business of the said Court not otherwise provided for, shall be paid out of the Fee Fund herein-after mentioned, and shall be allowed in the Account to be rendered by the Registrar as herein-after provided.

Clerks, &c. to be appointed by the Judge.

65. The said Salaries and Annuities shall be paid by Four equal quarterly Payments, on the Fifth Day of January, the Fifth Day of April, the Fifth Day of July, and the Tenth Day of October in every Year; provided that the Payment to be made in each Case on the first of the said quarterly Days which shall happen after the Accrual of the Right thereunto of the Person receiving the same under the Act shall be a ratable Proportion of a Quarter's Salary according to the Time then elapsed since the Accrual of such Right; and in case of Vacancy in the Office of any Judge, Registrar, or Marshal, or of

Salaries and Annuities how to be paid.

any Clerk, Officer, or Servant, receiving a Salary under this Act, whose Salary is fixed by the Act of the Court of Admiralty, the Person making the Vacancy, his Executors or Administrators, shall be entitled to a proportional Part of his quarterly Salary according to the Time elapsed between the Vacancy and the last quarterly 5 Payment.

Office of Registrar not to be executed by Deputy except in case of Illness.

66. From and after the passing of this Act the Office of Registrar of the High Court of Admiralty shall not be executed by Deputy except in case of Illness or Absence of the Registrar for any reasonable Cause, to be allowed by the Judge, but the Registrar shall by 10 himself personally execute the Duties thereof: Provided always, that it shall be lawful for the said Registrar, by Writing under his Hand, to appoint a Deputy to act for him in case of his Absence from Illness or other reasonable Cause allowed by the Judge, but such Deputy, before such Appointment be valid, must be in the first instance ap- 15 proved of by the said Judge as a fit and proper Person to be so appointed, and no such Deputy shall continue to act for any longer Time than shall be allowed and specified in and by the Order which shall be made on each such Occasion by the Judge of the Court of Admiralty; provided that in case any Registrar of the said Court who 20 shall be prevented by Illness from giving his personal Attendance shall omit for the Space of Two Days to appoint such Deputy, the Judge of the Court of Admiralty shall, if he shall see fit, himself appoint such Deputy, and direct in all Cases what Part of the Salary of such Registrar shall be received by such Deputy, and the same 25 shall be paid over to and received by him accordingly.

Appointment of Registrar.

67. Any Advocate, Barrister-at-Law, Proctor, Attorney, or Solicitor of Ten Years Standing may be appointed Registrar of the said Court.

No Officer of the Court to practise therein.

68. No Registrar or Deputy Registrar, if such Deputation con- 30 tinue for any Time longer than *One Calendar Month*, nor the Marshal, nor any Officer or Clerk of the said High Court of Admiralty, shall, during the Time of his holding such Office, directly or indirectly practise as an Advocate, Barrister, Proctor, Solicitor, or Attorney in the said Court, or receive or participate in the Fees of 35 any other Person so practising therein.

Composition of Proctors.

69. *Whereas the Number of Persons entitled to practise as Proctors of the said Court of Admiralty does not exceed Six Persons, and the Fees or Emoluments of the said Proctors may be damaged by the Abolition of the exclusive Rights and Privileges which they have 40 hitherto enjoyed as such Proctors in the said Court: Be it enacted, That the Commissioners of Her Majesty's Treasury, by Examination on Oath or otherwise, which Oath they are hereby authorized to administer,*

administer, may inquire into, and may, by the Production of such Evidence as they shall think fit to require, ascertain and absolutely determine the nett annual Amount of the Profits arising from the Transaction of Business by Proctors, on Matters and Causes in such Admiralty Court, on an average of Five Years immediately preceding the Commencement of this Act, and shall award to each and every such Proctor a Sum of Money or annual Payment during the Term of his natural Life, of such Amount as shall be equal in Value to One Half of the net Profits derived by such Proctor in respect of Matters and Causes in the said Court of Admiralty, upon the said Average of Five Years immediately preceding the Commencement of this Act.

70. Every Person who at the Time of the passing of this Act or within Six Calendar Months afterwards is actually admitted and practising or entitled to practise as a Proctor of the High Court of Admiralty may within One Year after the passing of this Act be admitted without the Payment of any Stamp Duty, Fee, Charge, or Gratuity whatsoever as a Solicitor of the High Court of Chancery, upon the Production of an official Certificate that such Admission continued in force at the Time of the passing of this Act or within Twelve Months afterwards; and upon signing the Roll of Solicitors of the High Court of Chancery, but not otherwise, shall be entitled to be admitted as a Solicitor of such Court, and to be afterwards in like Manner admitted and enrolled as an Attorney of Her Majesty's Superior Courts; and all the Provisions of the Act Twenty-fourth and Twenty-fifth Victoria, Chapter Sixty-eight, shall relate to Proctors of the said Admiralty Court and their Apprentices or Articled Clerks fully to all Intents and Purposes, as if they were named therein in every Place where in the said Act Attorneys and Solicitors are referred to.

Admission
of Proctors
as Solicitors.

71. All Money of the Suitors of the Court of Admiralty shall be lodged under Orders of the Court to be made from Time to Time in the Bank of Ireland, to an Account there to be opened in the Name of the Registrar of the High Court of Admiralty of Ireland ex parte the Cause or Matter in which such Order may be made, and the same shall not be drawn out therefrom save under Order of the Court, with the Cheque or Draft of the said Registrar endorsed on the said Order, and countersigned by the Judge of the Court of Admiralty.

Suitors
Money to be
lodged in the
Bank of
Ireland.

72. The Registrar of the High Court of Admiralty shall, on or before the Twentieth Day of January in every Year, render to the Commissioners of Her Majesty's Treasury upon Oath, to be sworn before the Judge of the High Court of Admiralty or a Surrogate of

Registrar to
account
annually for
all Fees re-
ceived by
him.

[141.]

C

the

the said Court, a true Account in Writing of the gross and nett Amount of all such Fees and Emoluments as shall have become due in the preceding Year ending on the *First January* on account of the Judge of the said Court, by virtue of his Office as such Judge, or on account of the Marshal or any other Officer of the said Court, specifying the Particulars of the Payments, Disbursements, Allowances, and Charges constituting the Difference between the gross and nett Amounts, and also a like Account of all the Fees, Dues, Perquisites, Emoluments, and Profits received by or on account of or for the Registrar of the said Court of Admiralty; the Marshal, Seal Keeper, and every other Officer of the Court in the Receipts for Business done in the said Court, shall render to the Registrar on Oath, to be sworn before the Judge or a Surrogate of the Court, a true Account in Writing of all the Fees respectively secured by each of them at such Times and subject to such Regulations as the Court shall from Time to Time think fit to direct.

Fees to be
carried to
Fee Fund.

73. All the Fees so received on account of the Judge and Marshal or any other Officer of the Court of the said High Court of Admiralty, and also all the Fees, Dues, Emoluments, Perquisites, and Profits received by or on account of the Registrar, after the Expiration of the Interest at present vested in possession in the said Office of the Registrar, shall be carried by the Registrar to an Account to be opened and kept in the Bank of Ireland of a Fund to be called "The Fee Fund of the High Court of Admiralty," and out of the said Fee Fund there shall be paid by the said Registrar, at the Times and in the Manner herein-before directed, the Salaries of the Registrar, Assistant Registrar, and Marshal, and of the Clerks, Officers, and Servants of the said Court, and all Expenses of holding and carrying on the Business of the said Court not otherwise provided for; and in case there shall be at any Time a Deficiency in the said Fee Fund, so that the same shall not be sufficient to discharge the several Salaries and Sums of Money herein-before charged thereon, the Judge of the High Court of Admiralty shall, by Writing under his Hand and Seal, certify to the Commissioners of Her Majesty's Treasury the Amount of such Deficiency, and the said Commissioners shall forthwith, upon the Receipt of such Certificate, direct that there be issued and paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to the Principal or Deputy Registrar of the said Court, on account of the Fee Fund of the said Court, such a Sum of Money as shall be sufficient to cover the Deficiency so certified to them as aforesaid.

Surplus to
be carried to
the Conto.

74. When and so often from Time to Time as the said Fee Fund shall amount to such a Sum as shall be sufficient to pay all the Salaries

Salaries and Sums of Money herein-before charged thereupon, and there shall be a Surplus remaining after such Payment, the Registrar of the High Court of Admiralty shall, once in every Quarter of a Year, (that is to say,) on or before the Twentieth Day of April, the Twentieth Day of July, the Twentieth Day of October, and the Twentieth Day of January, pay such Surplus, if any, into the Bank of Ireland to the Credit of Her Majesty's Exchequer, to the Account of the said Consolidated Fund.

Isolated Fund.

75. *It shall be lawful for the Commissioners of Her Majesty's Treasury, and they are hereby authorized and required to direct the several Payments aforesaid to be made out of the Consolidated Fund.*

Treasury by Warrants to direct Payment out of the Consolidated Fund.

76. Neither the Judge, nor any Registrar, Assistant to the Registrar, Deputy Registrar, or Marshal or Seal Keeper, of the Court of Admiralty shall be entitled to or to take for his own Use or Benefit, directly or indirectly, any Fee or Emolument whatsoever, save the Salary, Allowance, or Annuity to which he shall be entitled by virtue of this Act.

Judge, Registrar, &c. not to receive Fees on their own Account.

77. In case the said Commissioners of Her Majesty's Treasury shall be dissatisfied with any Account to be rendered to them as aforesaid, it shall be lawful for him or them to refer the same to the Judge of the High Court of Admiralty, who shall thereupon, by such Ways and Means and by the Examination of such Persons as they or he shall think fit, and upon Oath, if he or they shall think the same necessary (which he or they is, and are hereby authorized to administer) inquire into the said Accounts, or any Entry therein, and all or any of the Disbursements, Allowances, or Charges therein contained, and make such Allowances and Disallowances therein as he or they shall think reasonable, and shall finally settle and certify in Writing the net Amount of the Fees and Emoluments to which such Account relates.

Accounts may be referred to Judge of High Court of Admiralty.

78. The Lord Lieutenant or other chief Governor or Governors of Ireland, by and with the Advice of the Privy Council, may by Order in Council from Time to Time vary, alter, or abolish all or any of the Fees payable to the Office of Judge, Registrar, or Marshal in relation to Proceedings in the Court of Admiralty, and may substitute One or more Fee or Fees in lieu thereof, and may direct that all or any of such Fees shall, from a Day to be named in such Order and thereupon, be collected by means of Stamps, to be provided and used in manner herein-before mentioned.

Lord Lieutenant may by Order in Council vary, alter, or abolish Fees, and provide for their Collection by Stamps.

79. From and after the Day named in such Order the Fees directed by such Order to be received by Stamps shall not be received

After such Order Fees not to be received

affixed to
Money but
by means of
Stamps.

in Money, but by a Stamp denoting the Amount of the Fee which otherwise would be payable, and where any Fee shall be payable in respect of any Document, and under such Regulations as shall by any Order of the Judge of the said Court be directed, be stamped or affixed on the Vellum, Parchment, or Paper on which the Proceeding in respect whereof such Fee is payable is written, printed, or engraved, or which may be otherwise used in reference to such Proceeding.

Commis-
sioners of
Inland
Revenue to
give the
necessary
Directions as
to the
Stamps, and
to keep
separate
Accounts

80. The Commissioners of Inland Revenue shall from Time to Time and on Occasion shall require give the necessary Directions for carrying the same into effect, and shall provide everything that is requisite for that Purpose, and shall do or cause to be done everything that is necessary for the Receipt and Collection of the Money to be paid for such Stamps, and the said Commissioners shall cause separate and distinct Accounts of all Sums of Money received or collected by them in respect of the Sale of such Stamps, and of all Cost, Charges, and Expenses incurred by them or by their Direction in carrying the same into effect.

Provision
for Sale of
Stamps.

81. The Commissioners of Inland Revenue may, if they think it necessary to do so, authorize proper Persons for the Sale and Distribution of all or any of the Stamps to be used under this Act, and may allow to such Persons the usual or customary Discount or Poundsage thereon.

Commis-
sioners of
Inland
Revenue to
make Regu-
lations as to
spoiled
Stamps.

82. The Commissioners of Inland Revenue shall from Time to Time make such Regulations as they shall think fit for the Allowance of such Stamps issued under the Provisions of this Act as may have been spoiled or rendered useless or unfit for the Purpose intended, or for which the Owner may have no immediate Use, or which through Mistake or Inadvertence may have been improperly or unnecessarily used, and such Allowance shall be made either by giving other Stamps in lieu of the Stamps so allowed, or by repaying the Amount or Value to the Owner or Holder thereof, after deducting the Discount or Poundsage, if any, allowed on Stamps of the like Kind.

Several
Stamp Acts
to be in
force.

83. The Provisions contained in the several Acts for the Time being in force relating to Stamps under the Care or Management of the Commissioners of Inland Revenue shall (so far as the same are applicable and consistent with the Provisions of this Act), in all Cases not hereby expressly provided for, be of full Force and Effect with respect to the Stamps to be provided under and by virtue of this Act, and to the Vellum, Parchment, or Paper on or to which the same Stamps shall be impressed or affixed, and be affixed, and put in execution for collecting and securing the Sums of Money denoted thereby,

thereby, and for preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually to all Intents and Purposes as if such Provisions had been herein repeated and specially enacted with reference to the said last-mentioned
5 Stamps and Sums of Money respectively.

84. No Document which by any Order as aforesaid ought to have had a Stamp impressed thereon or affixed thereto shall be received or filed or be used in relation to any Proceeding in the High Court of Admiralty, or be of any Validity for any Purpose whatsoever, unless
10 or until the same shall have a Stamp impressed thereon or affixed thereto in the Manner directed by such Order: Provided always, that if at any Time it shall appear that any such Document which ought to have had a Stamp impressed thereon or affixed thereto has through Mistake or Inadvertence been received or filed or used without having
15 such Stamp impressed thereon or affixed thereto, the Judge of the said Court may, if he shall think fit, order that a Stamp not exceeding in Value Four Times the Amount of such original Stamp shall be impressed thereon or affixed thereto and thereupon, when the proper Stamp shall in compliance with such Order have been impressed on
20 such Document or affixed thereto, such Document and every Proceeding in reference thereto shall be as valid and effectual as if such Stamp had been impressed thereon or affixed.

No Document to be received or used unless stamped.

85. If any Officer of the High Court of Admiralty or other Person shall do or commit or connive at any fraudulent Act or Practice in
25 relation to any Stamp to be used under the Provisions of this Act, or to any Fee or Sum of Money to be collected or which ought to be collected by means of any Stamp, or if any such Officer or Person shall be guilty of any wilful Act, Neglect, or Omission in relation to any such Stamp or Fee as aforesaid, whereby any Fee or Sum of
30 Money which ought to be collected shall be lost or the Payment thereof evaded, any such Officer or Person so offending may be dismissed from his Office or Employment by the Judge of the said Court.

Officers guilty of Fraud or wilful Neglect in relation to Stamps liable to be dismissed.

86. It shall be lawful for the Commissioners of Her Majesty's Treasury, on the Recommendation of the Judge of the High Court of
35 Admiralty, to order to be paid to any Person now or hereafter holding any Office or Employment in the said Court, who shall be afflicted with some permanent Infirmary disabling him from the due Execution of his Office, or shall be desirous of resigning the same, a Superannuation or Allowance; and in ascertaining and awarding the
40 Amount of such Superannuation or Allowance, the said Commissioners shall proceed according to the Principle laid down in the Act of the

Power to Treasury to order Pensions for retiring Officers.

Fourth and Fifth Years of King William the Fourth, Chapter Twenty-four.

Provisions
to extend to
Instances,
Prizes, and
other Mat-
ters.

87. Except where it shall be otherwise expressed, the Provisions of this Act shall apply to all Instances, Prize and other Matters, Suits, and Proceedings of which the High Court of Admiralty may 5 legally take cognizance.

SCHE-

SCHEDULE to which this Act refers.

References to Act.	Title of Act.	Extent of Repeal.
23 & 24 Geo. 3. c. 14 Irish.	An Act for regulating the High Court of Admiralty in this Kingdom,	Section 3.
40 Geo. 3. c. 68	An Act to enable His Majesty to grant Annuities to the Lord High Chancellor, and to the Judges, &c, and to the Judge of the Court of Admiralty.	Section 2, so far as relates to the Salary of the Judge of the Admiralty.
2 & 3 Will. 4. c. 116.	An Act to provide for the Salaries of certain High and Judicial Officers, and of Payments heretofore made out of the Civil List Revenue	Section 1, so far as relates to the Salary of the Judge of the Admiralty, and Section 2, so far as relates to the Fees of the Judge of the Admiralty.

Admiralty Court
(Ireland).

A

B I L L

[AS AMENDED IN COURSE]

To alter and amend the Procedure and
Practice of the Court of Admiralty
in Ireland.

*(Prepared and brought in by
Mr. Stanger and Mr. Loughlin)*

*Ordered by His Grace of Clarence, to be Printed,
29. May 1862.*

[B71111]

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